

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TYRONE HILL,	:	Civil No. 3:24-cv-22
Plaintiff	:	(Judge Mariani)
v.	:	
JOHN RIVELLO, et al.,	:	
Defendants	:	

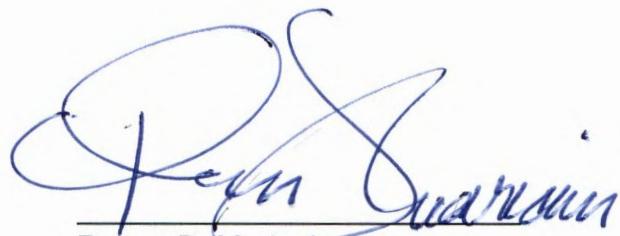
ORDER

AND NOW, this 23rd day of October, 2024, upon consideration of Defendants' motion (Doc. 20) to dismiss, and the parties' respective briefs in support of and in opposition to said motion, and for the reasons set forth in the accompanying Memorandum, **IT IS**

HEREBY ORDERED THAT:

1. The motion (Doc. 20) is **GRANTED** in part and **DENIED** in part as follows.
 - a. The motion to dismiss the claims against Defendant Rivello is **GRANTED**. The claims against Defendant Rivello are **DISMISSED**. The Clerk of Court is directed to **TERMINATE** John Rivello as a Defendant in this action.
 - b. The motion is **DENIED** in all other respects.
2. In accordance with Federal Rule of Civil Procedure 4(c)(3), the Clerk of Court is directed to **SERVE** a copy of the complaint (Doc. 1), notice of lawsuit and request to waive service of summons (form AO 398), waiver of the service of summons (form AO 399), and this Order on the newly named Defendants—CO A. Tress, CO Kirsh, CO Ainsworth, CO J. Myers, CO Cothard, and CO K. Deihl. In the interests of efficient administrative judicial economy, the Court requests that Defendants waive service pursuant to Federal Rule of Civil Procedure 4(d).

3. If service is unable to be completed due to Plaintiff's failure to properly name the Defendants, or provide an accurate mailing address for the Defendants, Plaintiff will be required to correct this deficiency. Failure to comply may result in the dismissal of Plaintiff's claims against the Defendants pursuant to Federal Rule of Civil Procedure 4(m).
4. Any appeal from this Order is deemed frivolous and not taken in good faith. See 28 U.S.C. § 1915(a)(3).



Robert D. Mariani
United States District Judge